

conjugating the first monoclonal antibody to the second monoclonal antibody, wherein the first and second monoclonal antibodies have anti-neoplastic activity in a conjugated form and have substantially no anti-neoplastic activity in an unconjugated form.

D3 43. (Three times amended) A pharmaceutical composition comprising a homoconjugate comprising a monoclonal antibody and a pharmaceutically acceptable carrier, wherein the monoclonal antibody does not comprise an Fc region and wherein the monoclonal antibody is an anti-CD19, anti-CD20, anti-CD21, anti-CD22, anti-breast tumor, anti-ovarian tumor, anti-prostate tumor, anti-lung tumor, or anti- α Her2 monoclonal antibody and wherein the monoclonal antibody has anti-neoplastic activity in a conjugated form and has substantially no anti-neoplastic activity in an unconjugated form.

REMARKS

Entry of the amendments is believed proper given that they will substantially reduce the number of issues on appeal and place certain claims in condition for allowance.

The Advisory Action withdrew rejections of claims 4, 5, 16, 17, 46, and 47 under 35 U.S.C. § 102(b) as anticipated by Ahlem *et al.*, U.S. Patent 5,273,743. See Advisory Action page 2, paragraph 1. Despite the assertion of the Advisory Action that "No claims are allowed," (Advisory Action page 5, line 11), and the assertion on the cover sheet that these claims are rejected for purposes of appeal, no grounds of rejection are of record against these claims.

After entry of both Amendments, the subject matter of former claims 4, 5, 16, 17, 46 and 47 is in independent claim format with all other claims dependent to them. There are no other rejection of claims covering this subject matter. Therefore, because all rejections have been withdrawn with respect to the subject matter of these claims, Applicants respectfully submit that the current claims stand allowable upon entry of both amendments. Because all of the remaining

rejected claims depend upon these amended claims, their rejections should be moot upon entry of the amendment. Therefore, entry of this Second Amendment will reduce the number of issues on appeal to simply whether or not the claims after entry of the Second Amendment are allowable.

The examiner is invited to contact the undersigned at the telephone number listed below with any questions.

Respectfully submitted,



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